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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Tenth session
Geneva, 22 August - 2 September 1994
Item 3 (d) of the provisional agenda

MATTERS RELATING TO COMMITMENTS

REPORT ON IMPLEMENTATION

Note by the interim secretariat

Addendum

1. The present note should be read in conjunction with document A/AC.237/48 entitled "The report on implementation" which was prepared in advance of the ninth session. This note seeks to build on the earlier document by presenting additional considerations that could contribute to the Committee's discussion and by focusing on issues requiring decisions at, or before, the first session of the Conference of the Parties (COP 1).

2. The questions raised in document A/AC.237/48 are still relevant (see paras. 8 to 13). Of particular importance is the question of whether the report on implementation (ROI) should be a public information document for a wide audience or a negotiated document for participants in the Convention process. If it is the latter, it will be necessary to decide how it would differ from the formal reports of the COP. Another important issue touched in document A/AC.237/48 and requiring a decision by the Committee is the timing of the first ROI and the modalities for its preparation.

3. Other documents prepared for the tenth session also touch on the ROI. Document A/AC.237/64 on the roles of the subsidiary bodies recalls that Committee decision 9/3 allocates the function of preparing the ROI to the Subsidiary Body for Implementation (SBI) (see A/AC.237/55, annex I, annex to decision 9/3). That document also suggests that COP 1 may request the SBI to consider the ROI. Document A/AC.237/57 on the arrangements for the eleventh session includes the ROI on an illustrative list of agenda items for the eleventh session. It also suggests that documentation on the ROI for that session might take the form of a draft recommendation to COP 1 containing a proposed COP decision on the subject.

4. While it is conceivable that a draft of the first ROI could be submitted to COP 1 for adoption, the interim secretariat foresees considerable difficulty with such an approach. There will be very limited time available and, in the face of competing priorities, insufficient staff and other resources to produce a good document. Such logistical and resource difficulties would be magnified if the Committee desired to review the draft ROI at its eleventh session. In this connection, it should be borne in mind that a substantial part of the content of the first ROI would be dependent on the final compilation and synthesis of the information contained in the first communications from Annex I Parties; this would not be complete until the eleventh session. A draft ROI would also have to be substantially amended at COP 1 to reflect the decisions taken by the COP.

5. The Committee may wish to consider the following options relating to the timing and preparation of the first ROI, both of which would have the advantage of reducing the burden on the agenda of COP 1.

(a) The first ROI could be adopted by COP 2 and published thereafter; or

(b) The first ROI could be prepared by the secretariat soon after COP 1 based on guidance from COP 1 and drawing on other COP documents.

6. With regard to the first option, the principal disadvantage is the delayed impact of the ROI. An opportunity would have been missed to send an early positive signal of the openness and transparency of the COP. Moreover, it might be questioned whether it would be necessary or appropriate to adopt formally a document that was designed primarily for public information purposes.

7. According to the second option mentioned above, COP 1 would request the secretariat to finalize the first ROI for publication as soon as feasible after the session. The COP would have to provide guidance on the type of document desired by the Parties and on the sources of information to be used. Further advice on the implementation of the COP's guidance could also be provided to the interim secretariat by the Bureau of the COP or the Bureau of the SBI, as appropriate. One could envisage a scenario where documents that had been considered, and in some cases adopted, by COP 1 could form the basis for the text of the ROI. These documents could include:

- the compilation and synthesis of the information contained in communications from Annex I Parties

- the report on the review of the adequacy of commitments
- the report from the interim operating entity of the financial mechanism
- the reports and assessments of the Intergovernmental Panel on Climate Change
- the decisions of COP 1 and the formal report on the results of the session

8. COP 2 could, under this option, consider the first ROI in order to confirm ex post that it was prepared in accordance with the decisions of COP 1. Based on the experience gained in the preparation and publication of the first ROI, COP 2 could provide guidance concerning the preparation of the second ROI and also consider the periodicity of future ROIs, the timing of their publication and the procedures for their consideration by the COP.

9. The Committee may wish, pursuant to its consideration of this item, to request the interim secretariat to prepare a draft recommendation to COP 1 regarding the ROI for consideration and adoption at the eleventh session. Alternatively, it may wish to adopt a final recommendation to COP 1 on this subject at the tenth session.

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